

1 HOUSE BILL NO. 711

2 INTRODUCED BY GALLUS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF JUSTICE TO MAIL A
5 RENEWAL NOTICE PRIOR TO THE EXPIRATION OF A DRIVER'S LICENSE; PROVIDING A RENEWAL
6 NOTICE FEE; AND AMENDING SECTION 61-5-111, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 61-5-111, MCA, is amended to read:

11 **"61-5-111. Contents of a driver's license, renewal, renewal by mail, license expirations, grace**
12 **period, and fees for licenses, permits, and endorsements -- notice of expiration.** (1) The department may
13 appoint county treasurers and other qualified officers to act as its agents for the sale of driver's licenses receipts
14 and shall make necessary rules governing sales. In areas in which the department provides driver licensing
15 services 3 days or more a week, the department is responsible for sale of receipts and may, in its discretion,
16 appoint an agent to sell receipts.

17 (2) The department, upon receipt of payment of the fees specified in this section, shall issue a driver's
18 license to each qualifying applicant. The license must contain a full-face photograph of the licensee in the size
19 and form prescribed by the department; a distinguishing number issued to the licensee; the full legal name, date
20 of birth, Montana mailing address, and a brief description of the licensee; and either the licensee's customary
21 signature or a digital reproduction of the licensee's customary signature. The department may not use the
22 licensee's social security number as the distinguishing number unless the licensee expressly authorizes the use.
23 A license is not valid until it is signed by the licensee.

24 (3) (a) When a person applies for renewal of a driver's license, the department shall conduct a records
25 check in accordance with 61-5-110(1) to determine the applicant's eligibility status and shall test the applicant's
26 eyesight. The department may also require the applicant to submit to a knowledge and skills test if:

27 (i) the renewal applicant has a physical or mental disability, limitation, or condition that impairs, or may
28 impair, the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle
29 on the highway; and

30 (ii) the expired or expiring license does not include adaptive equipment or operational restrictions

1 appropriate to the applicant's functional abilities; or

2 (iii) the applicant wants to remove or modify the restrictions stated on the expired or expiring license.

3 (b) In the case of a commercial driver's license, the department may also require that the applicant
4 successfully complete a written examination as required by federal regulations.

5 (c) A person is considered to have applied for renewal of a Montana driver's license if the application
6 is made within 6 months before or 3 months after the expiration of the person's license. Except as provided in
7 subsection (3)(d), a person seeking to renew a driver's license shall appear in person at a Montana driver's
8 examination station.

9 (d) (i) A person may renew a driver's license by mail if the person certifies that the person is temporarily
10 out of state and will not be returning to the state prior to the expiration of the license.

11 (ii) An applicant who renews a driver's license by mail shall submit to the department an approved vision
12 examination and a medical evaluation from a licensed physician in addition to the fees required for renewal.

13 (iii) If the department does not have a digitized photograph or signature record of the renewal applicant
14 from the expiring license, then the department may require the renewal applicant to submit a personal
15 photograph and signature that meets the requirements prescribed by the department.

16 (iv) The term of a license renewed by mail is 4 years, and a person may not renew by mail for
17 consecutive license terms.

18 (v) The department may not renew a license by mail if the records check conducted in accordance with
19 61-5-110(1) shows an ineligible license status for the applicant.

20 (e) The department shall mail a driver's license renewal notice no earlier than 60 days and no later than
21 30 days prior to the expiration date of a commercial driver's license if the licensee has previously submitted a
22 written request for the notice, either at the time of initial application or of renewal of the license. The department
23 shall mail the notice to the Montana mailing address shown on the driver's license unless the licensee has
24 submitted a change of address as required by 61-5-115.

25 (4) (a) Except as provided in subsections (4)(b) and (4)(c), a license expires on the anniversary of the
26 licensee's birthday 8 years or less after the date of issue or on the licensee's 75th birthday, whichever occurs
27 first.

28 (b) A license issued to a person who is 75 years of age or older expires on the anniversary of the
29 licensee's birthday 4 years or less after the date of issue.

30 (c) A license issued to a person who is under 21 years of age expires on the licensee's 21st birthday.

